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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/148,615	09/04/1998	BENJAMIN KILGORE	MS-78	3633

27662 7590 05/24/2002

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EXAMINER

CHEN, TE Y

ART UNIT PAPER NUMBER

2171

DATE MAILED: 05/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

11/05

Office Action Summary

Application No.
09/148,615

Applicant(s)
Kilgore

Examiner
Te Chen

Art Unit
2171



— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 13, 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-23 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2171

DETAILED ACTION

Request for Continued Examination

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/13/2002 has been entered.
2. This communication is responsive to the amendment C and declarations under 37 CFR 1.48 as well as 1.131 filed on 03/13/2002 (paper # 14-16).
3. Claims 2-23 remain for examination, claim 2 was amended.
4. In view of the papers filed 03/13/2002, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(a). The inventorship of this application has been changed by addition of the inventors Steven D. Lamb, Loren K. Imes and Mark E. Hickling.

Art Unit: 2171

5. The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of the file jacket and PTO PALM data to reflect the inventorship as corrected.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 2-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggioncalda et al. (U.S. Patent No. 6,012,044) and in view of Rosenberg (U.S. Patent No. 6,061,004).

8. As to claims 2-6, Maggioncalda et al. disclosed a display device as claimed, including the followings:

a) a query grid having at least one field and associated criteria and being transferred from server to a remote client through a communications interface in respond to client's request [col. 6, lines 31-37; Fig. 1];

b) a plurality of adjustable interface options on client display device for adjusting associated criteria of the at least one associated field [Fig. 4], wherein the adjustable interface options comprise: 1) a plurality of slider filters with multiple boundaries and a plurality of controls

Art Unit: 2171

for adjusting criteria of associated fields in real time [Fig. 5b]; 2) the interface tool having slider filters, input boxes and radio buttons [Fig. 4]; 3) the slider filter dynamically coupled to an input box so that the slider filter and the input box dynamically change in response to a user's selection of interface options [Fig. 9; Fig. 12 A-B; col. 2, lines 45-51].

9. Maggioncalda et al. did not explicitly disclose that the interface tool having drop-down menus;

10. However, it is a common programming practice to have drop-down menus in an interface tool (for example see Rosenberg's col. 39, lines 55-60). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a drop-down menu as an interface tool to help and visibly facilitate user interaction with a constrained set of decision variables.

11. As to claims 7-23, the steps in the claimed method are deemed to be made obvious by the functions of the application structure of the claims 2-6 in the combination discussed above, hence were rejected for the same reasons.

Response to Arguments

Art Unit: 2171

12. Applicant's arguments with respect to claims 2-23 have been considered but are moot in view of the new ground(s) of rejection.

13. Applicant's declaration filed on 03/13/2002 under 37 CFR 1.131 has been fully considered but is ineffective to overcome the Maggioncalda reference.

14. The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the reference, see MPEP §715. While the attached exhibit represents a computer E-mail dated Sept. 19, 1996, for the final build of LoanCalc. The computer E-mail itself is not an evidence that provides a showing of the facts in character and weight, and thus is not considered to fully embody the invention as described and claimed. The examiner has no means of verifying that the build of LoanCalc actually contains the claimed programs, and were functional as alleged with only the build file name and path being disclosed by the E-mail.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Lee (U.S. Patent No. 5,999,169) disclosed a system and method for providing computer graphical user interface and supporting multiple two-dimensional movement inputs..

Art Unit: 2171

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Chen whose telephone number is (703) 308-1155. The examiner can normally be reached Monday through Friday from 7:30 A.M. to 4:30 P.M.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached at (703) 308-1436. The fax phone numbers for this group are:

(703) 746-7238 (After Final Communication);

(703) 746-7239 (Official Communications); and

(703) 746-7240 (For Status Inquiries, Draft Communication).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Susan Chen

May. 21, 2002



SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100